

Serial No.: 09/341,829

- 5 -

Art Unit: 1642

REMARKS

Applicant thanks the Examiner for the courtesy of the telephone calls made on February 10, 2004, February 18, 2004 and February 19, 2004, and the suggestions made by the Examiner during the telephone calls. The claim amendments reflect those suggestions.

Claims 1-3, 7, 17-19, 38 and 57-59 were previously pending and examined in this application. By this amendment, claims 1, 7, 38 and 58 have been amended. Claim 57 has been canceled. As a result, claims 1-3, 7, 17-19, 38, and 58-59 are pending for examination.

Claim 1 was amended to clarify that complements are full length complete complements. Claim 7 was amended to clarify that the fragments consist of contiguous nucleotides of SEQ ID NO:4 and to add language found in the specification on page 6 for the exclusion of certain fragments of SEQ ID NO:8. Claim 38 was amended to provide that the method is performed using a probe that consists of nucleic acid molecules as claimed in claim 1. In addition, claim 38 was amended to incorporate the language of claim 57 (now canceled). Claim 58 was amended to present an independent claim for detection of cancer using nucleic acid hybridization. Support for the amendments is provided in the specification and claims as filed. In particular, support for the fragments in claim 58 is found in claim 14 as filed and in the Summary of the Invention section. No new matter has been added.

No advisory action was received to indicate the status of the claims. Based on the above-mentioned telephone calls with the Examiner, however, it is Applicant's understanding that the present claim amendments will place the application in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

An Information Disclosure Statement has been filed on this day via Express Mail for consideration by the Examiner.

Serial No.: 09/341,829

- 6 -

Art Unit: 1642

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

Lethe et al., Applicant



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